83. (NEW) The recombinant host cell of claim 82, wherein said host cell expresses a protein comprising at least a portion of the heavy chain of botulinum neurotxin serotype A.

84. (NEW) The recombinant host cell of claim 83, wherein said protein elicits an ELISA response to botulinum neurotxin serotype A in an animal, said ELISA response being detectable upon about 100-fold dilution of serum from said animal.

85. (NEW) The recombinant host cell of claim 82, wherein said protein is at least 0.75% (w/w) of the total cellular protein.

86. (NEW) The recombinant host cell of claim 85, wherein said protein is at least 20% (w/w) of the total cellular protein.

REMARKS

Applicants respectfully request consideration of the above-identified application in light of the following amendments and remarks. This paper is being filed in preparation for interference proceedings.

Upon entry of this amendment, Claims 39-86 will be pending in the instant application. Applicants believe that all original claims are in condition for allowance. However, in preparation for interference procedings, Claims 1-38 have been canceled and Claims 39-86 have been added to remove references to botulinum neurotoxin serotypes other than serotype A from the instant application. Applicants intend to pursue subject

matter pertaining to serotypes other than sertype A in one or more other applications. Consequently, the instant Preliminary Amendment, should not be construed as surrendering any subject matter. Applicants do not concede surrender of any subject matter recited by the original claims pending review of any related continuation, continuation-in-part, divisional, or other application(s) upon its merits.

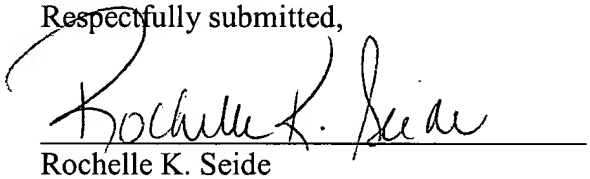
New Claims 39-86 are all supported by the specification as originally filed *inter alia* Claims 1-38 and do not constitute new matter.

A rewritten specification paragraph appears in the preceding "IN THE SECIFICATION" section. Attached hereto is a marked-up version of the changes made by the instant amendment. The attached page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE" and is only included for the Examiner's convenience. Should any discrepancies be discovered, the version presented in the preceding "IN THE SPECIFICATION" section shall be deemed to be correct.

Applicants submit herewith a Sequence Listing in paper and computer form. I hereby state that the content of the paper and computer readable copies of the Sequence Listing submitted in accordance with 37 C.F.R. §1.821(c) and (e), are the same. I hereby state that the content of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. §1.821(g), herein does not include new matter.

Applicants do not believe any fee is required for this filing. Nevertheless, the Commissioner is hereby authorized to charge any fees due with this submission not otherwise enclosed herewith to Deposit Account No. 02-4377. Two copies of this paper are enclosed.

Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the following sections, added text is marked with double underlining. e.g. added text, and deleted text is marked by a single strikethrough, e.g. ~~deleted text~~.

IN THE SPECIFICATION

The paragraph beginning at page 21, line 20 and ending at page 21, line 29 has been amended as follows:

Analysis of CD spectra of both soluble and resolubilized product revealed the presence of significant β-sheet which is in agreement with that predicted for rBoNTF(H_C) using an artificial neural network (Lebeda, F.J., et al., (1997), "Predicting Differential Antigen-Antibody Contact Regions Based on Solvent Accessibility," *J. Protein Chem.*, **16:**607-618), and that determined by crystal structure of BoNT serotype A (Lacy, D.B., et al., (1998), "Crystal Structure of Botulinum Neurotoxin Type A and Implications for Toxicity," *Nat. Struct. Biol.*, **5:**898-902). However, even though CD revealed that the two antigens possessed similar folds, there were subtle differences between the two spectra suggesting that the secondary structures, and hence, tertiary structures were not identical.